



**UNITED STATES PATENT AND TRADEMARK OFFICE**

DA  
#25  
10/24/03

Examiner:

Art Unit:

Attorney's Doc.: 1174

In re:

Applicant: HEINZ, J., et al

Serial No.: 09/593,571

Filed:

**MAIL STOP DAC**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
On July 23, 2003

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

July 21, 2003

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

**RECEIVED**  
JUL 31 2003  
TECH CENTER 1600/2800

Applicant herewith petitions for an order withdrawing the holding of abandonment of the subject application.

This application became abandoned because of non-response to an office letter mailed September 11, 2002.

However, counsel for applicant never received the office letter dated September 11, 2002.

The undersigned has carefully reviewed the file of the subject application and the jacket thereof, and herewith states that there is no indication that the office

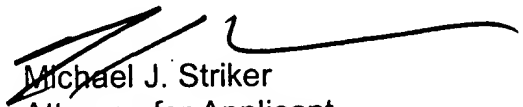
letter of September 11, 2002 was ever received by this office.

Further attached hereto is a copy of the office docket book for the day of December 10, 2002. This is the day upon which a three month term would have been docketed for response on December 11, 2002, and it is noted that the subject application does not appear thereon.

Since counsel for the applicant does not have a copy of the office letter dated September 11, 2002, applicant cannot respond thereto.

Accordingly, it is requested that the holding of abandonment of the subject application be withdrawn, and that applicant be sent another copy of the office letter of September 11, 2002, with a reset term for response.

Respectfully submitted,



Michael J. Striker  
Attorney for Applicant  
Reg. No.: 27233  
103 East Neck Road  
Huntington, New York 11743

OK as per MBS

~~76/358063 Stockhausen "Firecap" Dec 11~~

9/6/02

~~76/361052 Stockhausen "Firecap" Dec 11~~

AB was refiled #2862

~~76/357102 Stockhausen "Firecap" Dec 11~~

8/21/02

~~76/381458 Heidegger "Insignia" Jan 10~~

11/12/02

~~091297,100 Zimmer FF Dec 11~~

12/10/02

~~091869,527 Eggs 30A Dec 11~~

R 11/7/02

~~091933,619 Kurz 30A Dec 11~~

12/6/02

~~091940,197 Sauer 30A Dec 11~~

11/18/02

~~091804,437 Stauden 30A Dec 11~~

11/12/02

~~091355,656 Schenert FF Dec 11~~

see 1/10/03

~~101243,256 Matthes Jander Dec 11~~

see 1/10/03

~~Okner 091744 831 Final Dec 11~~

11/12/02

~~Klug 091804, 986 - non-comp Dec 11~~

Text

R

12/11/02

~~Klug 091804, 986 - non-comp Dec 11~~

Text

(response must be filed)

will be published per 08/10

~~26/347256 of Chemicals Master GmbH Jan 11~~  
~~see 1/11/03~~

~~091958, 564 Meier 30A Dec 12~~

~~091933, 624 Albert Capella 30A Dec 12~~  
~~see 1/11/03~~

~~091809, 394 Kottarski 30A Dec 12~~  
~~see 1/11/03~~

~~091367, 203 Kaesser 30A Dec 12~~

~~091979, 596 Leutz 30A Dec 12~~  
~~12/8/02~~

~~new OA was issued see 2/5/03~~

~~091830, 953 Loeffler 30A Dec 12~~  
~~11/12/02~~

~~091937, 168 Naiting FF Dec 12~~  
~~see 1/11/03~~

~~see 10/10/03, 279 I ext Dec 12~~

~~notice of appeal 11/18/02~~

~~WABA 09/123, 215 final ext Dec 12~~